

Virginia Land Conservation Foundation Board of Trustees
Wednesday, August 09, 2006
Library of Virginia
Richmond, Virginia

Virginia Land Conservation Foundation Board of Trustees Members Present

Senator Patricia S. Ticer, Vice Chair

Nicole M. Rovner for Secretary L. Preston Bryant, Jr.

Joseph H. Maroon, Executive Secretary

Bonnie Moorman

Terri Cofer Beirne

Thomas B. Graham

Alexandra Liddy Bourne

Albert Essel

William C. Dickinson

Leah Fried

L. Clifford Schroeder, Sr.

Virginia Land Conservation Foundation Board of Trustees Members Not Present

Nancy T. Bowles

Albert C. Weed, II

Mary Bruce Glaize

R. Brian Ball

Margaret Davis

Lou Giusto

Senator R. Creigh Deeds

Wendell P. Ennis

Staff Present

James Adams, Virginia Department of Game and Inland Fisheries

Timothy J. Bishton, DCR

John R. Davy, DCR

David C. Dowling, DCR

Michael R. Fletcher, DCR

J. Michael Foreman, Virginia Department of Forestry

Carl Garrison, Virginia Department of Forestry

Bob Lee, Virginia Outdoors Foundation

Sarah Richardson, DCR

Thomas L. Smith, DCR

Leslie Trew, Virginia Outdoors Foundation

Elizabeth Tune, Department of Historic Resources

Others Present

Larry Durbin, Virginia Department of Taxation

Rebecca Gwynn, Department of Game and Inland Fisheries

Laura McKay, Virginia Coastal Zone Management Program

David Phemister, The Nature Conservancy

Kelly Price, Virginia Coastal Zone Management Program

Call to Order

Senator Ticer called the meeting to order and declared a quorum present.

Approval of Minutes

MOTION: Mr. Schroeder moved that the minutes of the June 7, 2006 meeting be approved as submitted.

SECOND: Ms. Beirne

DISCUSSION: None

VOTE: Motion carried unanimously

Executive Secretary's Report

Mr. Maroon gave the Executive Secretary's report. He noted that Governor Kaine and Secretary Bryant have been actively involved in encouraging landowners to consider protecting their land through an easement program.

Mr. Dickinson asked if an easement is place on land already in public ownership whether it would contribute to the Governor's 400,000 acre goal.

Mr. Maroon said it would depend upon whether or not the land was already considered protected.

DCR will begin a monthly progress report to the Secretary and to the Governor on what progress is being made towards achieving that 400,000 acre goal. This will involve contacting all the entities known to be involved in land conservation on a monthly basis.

The Virginia Outdoors Foundation and DCR have produced a directory of land conservation foundations and groups across the Commonwealth. A copy was provided to members. Additional copies are available from DCR or VOF.

Mr. Maroon noted that at the June meeting there was hope that the Foundation would see additional funding from the budget process. That did not materialize. The Foundation will have 2 1/2 million for each of the next two years for a total of \$5 million.

Land Preservation Tax Credit Program

Overview of LPC program

Larry Durbin, from the Department of Taxation gave the following overview of the Land Preservation Tax Credit Program.

Land Preservation Credit

Virginia Department of Taxation

Virginia's Land Preservation Tax Credit

Presented to:

Virginia Land Conservation Foundation

Board of Trustees

Richmond, Virginia

August 9, 2006

Presented By:

Larry Durbin

Assistant Tax Commissioner

Virginia Department of Taxation

Donation History Data

Tax Year	# of Credits	# of Acres	Credit Requests
2000	117	16,209	\$ 25,131,846
2001	72	8,322	\$ 16,347,986
2002	189	30,613	\$ 58,666,437
2003	132	27,299	\$ 72,973,957
2004	226	47,978	\$137,255,395
2005	217	44,448	\$125,087,564
*2006	5	458	\$ 1,357,500
Grand Total	958	175,327	\$436,820,685
*Through July 2006			

Large Donations (>\$600,000) Data

Tax Year	# of Credits	# of Acres	Credit Requests
2000	10	2,110	\$ 9,938,700
2001	5	1,113	\$ 4,198,250
2002	12	4,872	\$ 25,922,626
2003	20	10,017	\$ 54,948,057
2004	48	16,613	\$ 99,769,888
*2005	50	19,371	\$ 90,839,506
Grand Total	145	54,096	\$285,617,027
*Through July 2006			

Breakdown of Large Donations Data

Appraised Value	# of Credits	# of Acres	Credit Req'd
\$1.2M - \$2.4M	91	22,828	\$ 78,672,954
\$2.5M - \$3.6M	16	7,970	\$ 23,547,343
\$3.7M - \$4.9M	13	6,117	\$ 27,498,237
\$5.0M-\$10.0M	11	9,105	\$ 38,688,003
>\$10.0M	14	8,076	\$117,210,490
Total	145	54,096	\$285,617,027

Breakdown of Large Donations Data cont'd

Tax Year	% of Credits	% of Acres	% of Credit Requested
2000	9%	13%	40%
2001	7%	13%	26%
2002	6%	16%	44%
2003	15%	37%	75%
2004	21%	35%	73%
2005	23%	44%	73%

Type	# Credits	Comparative Donation Data			
		# Acres	Credits Req'd	Avg Credit	Avg/Acre
Large Donation	145	54,096	\$ 285,617,027	\$ 1,969,773	\$ 5,280
Small Donation	813	121,231	\$ 151,203,658	\$ 185,982	\$ 1,247
Grand Total	958	175,327	\$ 436,820,685	\$ 455,971	\$ 2,491

Type	# Credits	Comparative Donation Data for 2005			
		# Acres	Credits Req'd	Avg Credit	Avg/Acre
Large Donation	50	19,371	\$ 90,839,506	\$ 1,816,790	\$ 4,689
Small Donation	167	25,077	\$ 34,248,058	\$ 205,078	\$ 1,366
Grand Total	217	44,448	\$ 125,087,564	\$ 576,440	\$ 2,814

Comparative Donation Statistics

- These per acre disparities are even greater for the largest easements.
 - *The average credit value of easements from \$5-\$9.9 million is \$4,249 per acre.*
 - *The average credit value of easements over \$10 million is \$14,513 per acre.*

Tax Year	#of Credits	Transfer History Data		
		# of Recipients	Amt Transferred	% of Total
2002	138	1,496	\$ 40,764,940	70%
2003	97	1,636	\$ 60,756,925	83%
2004	214	2,639	\$110,468,979	80%
*2005	169	2,147	\$ 92,871,478	75%
Grand Total	618	7,918	\$304,862,322	78%
*Through July 2006				

LPC Claimed on Returns Data

<i>Tax Year</i>	<i># of Returns</i>	<i>Amount Claimed</i>
2000	168	\$ 2,216,991
2001	247	\$ 3,501,694
2002	396	\$ 4,985,817
2003	1,253	\$ 30,503,024
2004	3,530	\$ 85,506,719
*2005	3,372	\$ 59,408,500
Grand Total	8,966	\$186,122,745
*Through July 2006		

Easement Value Ratio Data

<i>Reduction % Range</i>	<i># of Donations</i>	<i>Credit Requested</i>
0-25	152	\$ 37,144,787
26-50	419	\$148,349,790
51-75	141	\$102,814,602
76-100	51	\$ 77,972,642

*Does not include donations for 2000 & 2001 nor any gifts of land or easement values based on comparables

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Other Credit Statistics

Tax Year	Credit Type	Number Returns	Amt Claimed
2001	Historic	934	\$14,163,831
	Major Business	30	\$ 7,079,524
	Enterprise Zone	272	\$ 5,303,485
	Land Preservation	247	\$ 3,501,694
	Qualified Business	242	\$ 1,908,503
2002	Historic	630	\$21,771,726
	Major Business	46	\$ 8,900,856
	Enterprise Zone	323	\$ 7,874,252
	Land Preservation	396	\$ 4,985,817
	Qualified Business	208	\$ 1,723,461
2003	Land Preservation	1,253	\$30,503,024
	Historic	683	\$21,872,329
	Enterprise Zone	320	\$ 7,671,543
	Major Business	20	\$ 7,365,253
	Qualified Business	217	\$ 1,929,185
2004	Land Preservation	3,530	\$ 85,506,719
	Historic	639	\$ 14,810,848
	Major Business	20	\$ 4,400,000
	Enterprise Zone	350	\$ 10,229,465
	Qualified Business	301	\$ 2,244,102

Who are Making Donations

- Individuals with large estate properties
- Business entities using LPC to generate capital for business development
- Real Estate Developers

Where are donations being made?

Number of Donations

Locality	# of Donations	Acres	Credit Value
Albemarle	100	25,583	\$75,942,861
Fauquier	99	20,743	\$57,526,418
Loudoun	89	10,695	\$53,957,209
Rappahannock	56	11,243	\$16,057,559
Rockbridge	44	6,034	\$ 6,923,765

Where are donations being made?

Locality	Dollar Value		
	# of Donations	Acres	Credit Value
Albemarle	100	25,583	\$75,942,861
Fauquier	99	20,743	\$57,526,418
Loudoun	89	10,695	\$53,957,209
New Kent	2	2,688	\$24,706,836
Fredericksburg City	3	166	\$16,223,250

Conservation Value vs Economic Benefit

- Partial easements on large tract developments
- Easements on land recently purchased for substantially less than easement value
- Donations by nonprofit entities where development potential is questionable
- Tiered or adjacent easements

Appraisal Issues

Quid pro quo

- Zoning consideration
- Enhancement of other property

Development Potential of Property

- Estate Properties
- Rural Land
- Current Zoning vs “What If”

Enforcement

Litigation

- Issued 130+ notices to credit transferees of intention to devalue donation by 90%
- Issued assessments for the difference to 120+ taxpayers who claimed devalued credits on their returns
- Donor LLC takes steps to challenge VaTax
 - Administrative appeals skipped
 - Appeal filed in court, seeking injunctive relief for immediate rescission of assessments

- Ware Creek Preserve, LLC, et al. v. Virginia Dept. of Taxation, et al., Circuit Court of New Kent County, Chancery No. CH05000045-00 Case is still proceeding through pre-trial stages

Additional Enforcement

Tax has performed preliminary reviews on many donations and has also contracted for independent appraisals on some.

IRS Activities

- IRS has reviewed Tax's LPC database
- IRS has initiated multiple cases in Virginia

Overview of tax credit bills

Ms. Rovner gave an overview of tax credit legislation from the 2006 General Assembly as well as the Governor's amendments.

Highlights of the bills that passed the General Assembly (prior to the Governor's proposed amendments) are as follows:

- Imposed a statewide cap of \$50 million for 2007 and \$75 million for 2008 and thereafter.
- Reduced the generosity of the benefit from 50% to 40%.
- Imposed a per-transaction cap outside of the Chesapeake Bay watershed of \$750,000.
- Prohibited nonprofits from transferring tax credits.
- Only allows easement/land donors to transfer credits (eliminating the secondary market).
- Prohibited historic rehabilitation tax credits and land preservation tax credits from being used on the same property.

The Governor's amendments include a number of improvements to the bills that were sent to him by the General Assembly:

- An increase in the program cap to \$100 million per year. The level is high enough to accommodate a consistent level of conservation every year, which is essential to meeting the Governor's 400,000 acre goal.
- The per-transaction cap for land outside of the Bay watershed is eliminated. (But the reduction in the generosity of the benefit from 50% to 40% remains. The hope is that this will not result in a significant reduction in the number of acres protected. We will still have the most generous tax credit in the nation.)
- The restriction that allows credits to be transferred only once is removed.

With the Governor's amendments, HB 5019 and SB 5019 will amend the land preservation tax credit in the following ways:

- The carry-over period is extended so that taxpayers can use their credits over 11 years. Existing law only allows six years.
- Land trusts will not be able to generate tax credits by donating easements, but other nonprofits can transfer credits.
- Historic rehab credits and land preservation tax credits can be used on the same property, but not within 5 years of one another.
- Reforms to discourage appraisal abuse:
 - An appraisal must be based on reasonable assumptions regarding potential uses of the property. The Tax Department will issue appraisal guidelines.
 - Burden of proof will be on the taxpayer to show that appraisal requirements have been met.
- Reforms to ensure conservation value:
 - Tax credit applications must include information regarding the conservation purpose of the donation, the public benefit derived and the best management practices that will be employed.
 - Accountability will be ensured by an annual report that demonstrates the conservation achieved each year under the program.
 - ***Every donation that would generate \$1 million or more in tax credits must be reviewed by the Department of Conservation and Recreation, based on criteria established by the Virginia Land Conservation Foundation.***

Ms. Bourne said that the questions from the Department of Taxation relate to the appraisal process. She asked how DCR would know the value in the local market place.

Ms. Rovner said the Board is dealing with the conservation value not determination of the appraised value.

Mr. Maroon said much of land conservation is opportunistic. He said there was concern that the work in the Bay could not be accelerated and that there were also significant resources in the Southern Rivers section of the state also in need of protection.

Ms. Fried asked about the possibility of larger parcels being subdivided to stay below the \$1 million in credit cap that triggers DCR's review.

Ms. Rovner said the General Assembly imposed a per transaction cap to discourage phased in easements. She said the Governor proposed compromise language that would require a review of parcels that were adjacent.

Mr. Dickinson noted that there is a per transaction fee.

Mr. Durbin said that the fee is 2% of the value of the donated interest, or \$10,000, whichever is less.

Discussion of criteria development and public participation

Ms. Richardson reviewed the proposed VLCF Key Timelines for LPTC Criteria Development and Grant Round.

	TAX CREDIT CRITERIA (OPTION 1)	TAX CREDIT CRITERIA (OPTION 2)	PROPOSED GRANT ROUND
August 9	VLCF Board to concur with criteria development timeline (deadline is December 1 st)	VLCF Board to concur with criteria development timeline (deadline is December 1 st) - Board approves the Chair to initiate a public comment period following a September VLCF subcommittee meeting - Chair appoints a subcommittee	VLCF Board meeting – ask for authorization to initiate grant round on November 15, 2006
Mid August to early September	Internal agency workgroup and interagency taskforce meetings to develop draft criteria	Internal agency workgroup and interagency taskforce meetings to develop draft criteria	Notification of grant round to interested parties
September 8 or 11	VLCF Board to	Subcommittee	

(Proposed VLCF Board Meeting dates)	approve draft criteria and to authorize public comment period.	meeting to approve draft criteria.	
October 1	Public-comment period starts	Public-comment period starts	
Mid-October	Public meeting	Public meeting	
Early November	Close of public-meeting period	Close of public-meeting period	
Mid to late November	VLCF Board meeting – adoption of criteria	VLCF Board meeting – adoption of criteria	Grant round officially starts November 15 th
December 1	Criteria sent to House Appropriations and Senate Finance Committee	Criteria sent to House Appropriations and Senate Finance Committee	
Early December			Workshop for grant applicants
January 15 th			Deadline for application submittal
February, March and April			Interagency taskforce meetings to score applications
May/June			VLCF Board meeting – approval of grant awards for FY07 and FY08 monies

Mr. Maroon noted that the criteria must be submitted by December 1st to the General Assembly. He said the key difference between options 1 and 2 was whether the Board desired to meet again in September or would prefer to have a subcommittee develop the criteria. The criteria need to be put out for public comment by October 1, 2006. A full Board meeting would be proposed for November to fully brief the Board regarding the proposed criteria and to seek the Board's approval.

Ms. Fried asked if the Board could approve the information via email.

Mr. Maroon explained that a draft could be sent to members, however a Board action could not be taken via email or phone.

Senator Ticer noted in option 2 that the Secretary would be making the appointments to the subcommittee.

MOTION: Mr. Graham moved that the Virginia Land Conservation Foundation support Option 2 as proposed in the VLCF Key Timelines for LPTC Criteria Development and Grant Round as outlined above.

SECOND: Ms. Fried.

DISCUSSION: Ms. Beirne asked if there would be a problem with relegating the work to a small group.

Ms. Bourne said that the full Board had been actively involved from the beginning.

Senator Ticer noted that the Board would have the opportunity to review the criteria and make comments at the November meeting.

VOTE: Motion carried unanimously.

Mr. Maroon asked that anyone interested in serving as a part of the subcommittee contact DCR staff. That information will be provided to the Secretary for consideration in appointments.

Mr. Maroon noted that the subcommittee would meet on Friday, September 8, 2006.

Mr. Maroon proposed and the Board agreed by consensus that the next meeting of the Board be Tuesday, November 21, 2006.

Future Grant Round

Authorization of grant round and timeline

MOTION: Mr. Graham moved that the Virginia Land Conservation Foundation authorize the next grant round to begin on November 15th and the timeline as proposed by staff.

SECOND: Ms. Bourne

DISCUSSION: None

VOTE: Motion carried unanimously

Approval of funding allocations

Mr. Dowling reviewed the proposal for approval of funding allocations and presented a summary plan of what staff was suggesting for the grant round.

Mr. Dowling explained that based on the funding formula, the first 25% of the funds go to the Virginia Outdoors Foundation with the remaining funds being divided between the following categories:

- Open Space and Parks
- Natural Area Protection
- Historic Area Preservation
- Farmland and Forest Preservation

Mr. Dowling explained that from previous grant rounds a total of \$682,960 was available to be brought forward into the current grant round allocation. In the plan, approximately \$5.1 million will be available for grants.

MOTION: Ms. Bourne moved that the unallocated principal balance of \$682,960 be brought forward into the December 2006 grant round.

SECOND: Mr. Schroeder

DISCUSSION: None

VOTE: Motion carried unanimously

Mr. Dowling reviewed the Funding Summary Plan for the December 2006 Grant Round. A copy of this plan is available from DCR. In the plan, approximately \$5.1 million will be available for grants.

MOTION: Ms. Beirne moved that the Board approve the Funding Summary Plan for the December 2006 Grant Round as proposed by staff.

SECOND: Mr. Schroeder

DISCUSSION: None

VOTE: Motion carried unanimously

Approval of Proposed Changes to Grant Manual and Scoring Criteria

Ms. Richardson addressed proposed changes to the manual. She noted public comments and changes to manual were highlighted in yellow. A copy of the draft manual is available from DCR.

It was noted that the definition of land conservation would be addressed by the subcommittee.

Mr. Adams asked how the wildlife element fit into the 10 points allocated.

Ms Richardson said that it was one of several components that every project can address and receive a composite score for.

Mr. Adams said the concern was that DGIF had a separate 3-point component that they scored. Under the revised approach they were a 2-point component of a larger multi-benefit category that the primary reviewer scores based on information provided by the applicant.

Mr. Maroon suggested and Ms. Bourne concurred that the wildlife benefit score be returned to 3-points.

Mr. Phemister said that DCR staff went above and beyond the call of duty to respond to the needs of The Nature Conservancy comments. He expressed appreciation on behalf of The Nature Conservancy.

MOTION: Ms. Bourne moved that the proposed revisions to the grant manual be accepted with the noted alternative language on page 11 and adding in the DGIF language as discussed regarding page 32 and page 12.

SECOND: Mr. Schroeder

DISCUSSION: None

VOTE: Motion carried unanimously

Financial Report

Mr. Bishton gave the financial report. A copy of the financial report is available from DCR. Total liabilities and equities are \$12,728,376.

Mr. Bishton referenced a letter from The Nature Conservancy regarding the Oaken Bow Conservation Easement project. TNC advised the Department that the project would not be advancing and the Department requested that the \$600,000 allocated for this project be

returned to the funding pool for the Farm and Forestland Preservation category. A copy of that letter is available from DCR.

Conservation Tools and Plans

Comprehensive Wildlife Strategy

Ms. Gwynn gave a presentation regarding the Virginia Wildlife Action Plan.

Virginia Wildlife Action Plan

Federal and State Support

- **Congessionally mandated** and funded under U.S. Fish & Wildlife Service Wildlife Conservation and Restoration Program and State Wildlife Grants program since FY 2001
- State/territories had to submit Strategies to U.S. Fish & Wildlife Service by **October 1, 2005** to continue receiving funds.
- Tasked by former Secretary Murphy after the 2003 **Virginia Natural Resources Leadership Summit** to “Develop a Comprehensive Wildlife Conservation Plan by 2005.”

What Does it Mean for Virginia?

- A strategy and common vision for conservation for the Commonwealth, not just DGIF.
- Status check of Virginia’s wildlife and habitats.
- In line with Roadmap for Virginia’s Future (Virginia’s long-term strategic plan): “Protect, conserve, and wisely develop our natural, historical and cultural resources.”
- Can be used to prioritize and leverage funding across agencies and programs within and outside of Virginia government.

Wildlife Action Plan Overview

- A wildlife conservation plan for the Commonwealth, not just DGIF.
- Developed with input from multiple partners, stakeholders, and citizens.
- Plan evaluates and assesses:
 - Location and abundance of wildlife and habitats
 - Problems facing species and habitats

- Conservation actions to address problems
- Research and monitoring needs

External Steering Committee

- U.S. Fish & Wildlife Service (ES & Refugees)
- U.S. Forest Service
- VA Department of Conservation and Recreation
- VA Department of Transportation
- VA Association of Planning District Commissioners
- Natural Resource Conservation Service
- Western Virginia Land Trust
- The Nature Conservancy
- National Park Service
- VA Department of Agriculture and Consumer Services
- Ducks Unlimited
- U.S. Department of Defense
- VA Department of Forestry

Key Outcomes

Species of Greatest Conservation Need

- Final list: 925 species
- Assigned to one of four tiers of relative conservation need
- Reviewed and endorsed by scientists and stakeholders.

Tiers and associated species served in the foundation for Plan development including setting conservation priorities and actions.

Mammals	24
Birds	96
Fishes	97
Reptiles	28
Amphibians	32
Mussels	61
Aquatic crustaceans	61
Aquatic insects	148
Terrestrial insects	142
Other aquatic invertebrates	34
Other terrestrial invertebrates	202

70% are invertebrates; 60% are aquatic

Habitat Assessment

- Broad Habitat Assessment
 - Statewide terrestrial, aquatic and subterranean habitats, their locations, and their condition.
- Species of Greatest Conservation Need (SGCN) Habitat Assessment
 - Identified general habitat needs for all SGCN species
 - Created detailed maps of Tier 1 species habitats modeled from best available information.

Community Meetings

- Fall 2004: 14 meetings around Virginia
- Spring 2005: 8 meetings around Virginia
- 187 participants
- 101 agencies, groups, organizations participated.

Problems Facing Wildlife

- Greatest threats to terrestrial species statewide are related to habitat destruction or fragmentation, including development and some agricultural and forestry practices.
- Greatest threats to aquatic species statewide are related to water and habitat quality, including pollution and sedimentation, from development and some industrial, agricultural and forestry practices.

Conservation Activities

- Coordination
 - Share data with local land trusts to help them implement Plan priorities
- Education and Outreach
 - Educate local planners & developers – water quality, green space and stormwater management
- Enforcement
 - Improve enforcement & prosecution of wildlife laws.
- Habitat Management
 - Conserve, restore, and create important habitats and buffers
- Land Protection
 - Continue or improve conservation easement programs
 - Preserve high elevation habitat
- Planning
 - Improve land use planning in urban, forestry, agricultural uses
- Regulations, Policy and Law
 - Establish permanent dedicated funding for conservation
- Species Management

- Control overabundant native species, exotic/invasive species

How will we get it done?

Implementation, Coordination Planning Committee

- Information & Monitoring Working Group
- Subcommittee
 - Education, Outreach & Partnerships
 - Policy, Enforcement, Regulation & Law
 - Species Management
 - Habitat Management and protection

Model conservation easement language

Ms. Richardson gave a presentation regarding the Model Easement Language Project.

Model Easement Language Project

Genesis: Natural Resource Agency Heads Meeting in May

Task Force

- Department of Conservation and Recreation
- Department of Forestry
- Department of Game and Inland Fisheries
- Department of Historic Resources
- Office of the Attorney General
- The Nature Conservancy
- Virginia Outdoors Foundation

First meeting in July; next meeting in September

Modules

- Agricultural Resources
- Forestry
- Historic Resources
- Natural Heritage Resources
- Scenic Resources
- Recreation Resources
- Water Quality
- Wildlife Resources

Agricultural Resources

Example: Restrictions on Intensive Agriculture and Associated Large-Scale Buildings.

Forestal Resources

- Both working forests and preserved forests

Examples:

- Forest stewardship plans
- Restrictions on timbering
- Sustainable yields

Historic Resources

- Archaeological resources
- Battlefields
- Buildings
- Cultural landscapes

Natural Heritage Resources

Examples:

- Restrictions to minimize soil disturbance to prevent invasive plant introductions
- Retention of natural hydrological regimes
- Maintenance of habitat conditions for rare species of plants and animals

Scenic Resources

Examples:

- Viewshed protection
- Road buffers
- Minimizing visibility of permitted buildings

Recreation Resources

- Hunting and fishing
- Public access/trails

Water Quality

- Riparian buffers
- Coastal marshes, dunes

- Source-water protection
- BMPs
- Wetlands

Wildlife Resources

Examples:

- Migratory bird habitat
- Wildlife clearings
- Bald eagle protection

Board Review Role

Mr. Maroon said the subject of Board review of projects had recently arisen with the suggestion that the Board be more actively involved in the review of project applications.

Mr. Maroon said that it had been suggested that Board members do project site visits, perhaps on a regional basis or in terms of subject matter. He said that it would likely be Spring before this would be an option.

Mr. Maroon noted that currently, staff provides summaries of the projects submitted. He noted that beyond that, the statute calls for the interagency task force to advise the Foundation Board on priorities. The scoring is done by the interagency task force and then brought before the Board.

Mr. Maroon said that Board involvement might be determined based upon funding available.

Mr. Graham said that site visits where possible would be helpful in making decisions.

Mr. Maroon said that it would be valuable to see some of the properties voted on. However he noted that access might be an issue with some properties. He suggested the possibility of an organized tour.

Ms. Moorman said that seeing each property might be difficult but suggested that the Board review slides or video as part of the presentation.

Mr. Dickinson said the Board should exercise the option to visit properties where possible. This would provide an opportunity to educate the Board rather than to provide oversight for the selection process.

Mr. Dickinson asked if the VLCF could apply and receive grants from other entities.

Mr. Maroon said that the Board does have that authority.

Mr. Dowling said the Code specifies that the Board may receive and expend gifts, grants and donations from whatever source.

Ms. Moorman said that might be an avenue to pursue in identifying organizations or foundations that might be targets of opportunity for fundraising.

On a separate topic, Ms. Fried suggested that staff prepare a list of accomplishments and that the Board use this information to promote the program.

Ms. Bourne noted that the criteria would help guide members with regard to oversight issues.

Mr. Graham asked how accomplishments of the VLCF were publicized. He said it might be possible to increase the Board profile.

Mr. Maroon said the other issue to discuss was how individual Board members could help to further the Governor's goal of an additional 400,000 acres of land conservation by 2010.

Agency and Public Comment

Mr. Foreman said that the Chesapeake Bay Program and the Executive Council are developing a forestland conservation directive that is currently in draft form. He noted that at an upcoming Executive Council meeting, the draft would be presented for signature.

Mr. Lee noted that for many years the VLCF has been the only vehicle for local government for funding the purchase of development rights program. VOF has tried to compliment the money received from the VLCF by contacting every local government and encouraging them to apply for the program.

Mr. Maroon noted that he would be making a presentation regarding land conservation at the Governor's Summit in September.

Mr. Dickinson thanked Mr. Lee and the VOF for the transfer of land near Middleburg to the Northern Virginia Park Authority. He said this was an important acquisition for Loudoun County.

Ms. Richards reviewed the Conservation Tax Incentives Fact Sheet provided in member folders. A copy of this fact sheet is available from DCR.

Next Meeting Date

The subcommittee to address the criteria development and public participation for the Land Preservation Tax Credit Program will meet on September 8.

The next meeting of the Virginia Land Conservation Foundation will be Tuesday, November 21, 2006.

Adjourn

There being no further business, the meeting was adjourned.

Respectfully submitted,

The Honorable L. Preston Bryant, Jr.
Chairman

Joseph H. Maroon
Executive Secretary